

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

United States District Court
Southern District of Texas
FILED

APR 02 2014

David J. Bradley, Clerk

UNITED STATES OF AMERICA

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v.

Criminal No. M-13-1439-S1

FIDEL SALINAS, JR.

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

Count One

From in or about June 2011, to in or about January 2012, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly and intentionally conspired and agreed with other person or persons known and unknown to the Grand Jury to commit an offense against the United States, specifically, to cause the transmission of a program, information, code, and command, and as a result of such conduct, cause damage without authorization to a protected computer.

This offense caused, or, in the case of an attempted offense, would, if completed, have caused, loss to a person or person during a one-year period, and loss affecting one or more protected computers, aggregating at least \$5,000 in value.

OVERT ACTS

In furtherance of and to achieve the objectives of said conspiracy, the following overt acts, among others, were committed:

1. On or about June 6, 2011, said defendant entered an online chat room (Channel) for the Operation Anti-Security (Operation AntiSec) faction of the computer-hacking group Anonymous.

2. On or about November 15, 2011, said defendant installed the Acunetix Web Vulnerability Scanner program.

3. On or about November 15, 2011, said defendant downloaded an illegal, "cracked" version of the WebCruiser Vulnerability Scanner Enterprise program.

4. On or about November 15, 2011, said defendant executed the Acunetix program on the lajoyaisd.com web domain.

5. On or about November 15, 2011, said defendant executed the WebCruiser program on the lajoyisd.com web domain.

6. On or about November 15, 2011, said defendant executed the Acunetix program on the themonitor.com web domain.

7. On or about December 1, 2011, said defendant executed the Acunetix program on the lajoyaisd.com web domain.

8. On or about December 30, 2011, said defendant attempted to connect to the IRC Operations server of the computer-hacking group Anonymous at irc.anonops.com.

9. From on or about January 4, 2012, to on or about January 5, 2012, said defendant executed the Acunetix program on the www.co.hidalgo.tx.us web domain.

10. From on or about January 4, 2012, to on or about January 5, 2012, said defendant executed the WebCruiser program on the www.co.hidalgo.tx.us web domain.

11. On or about January 5, 2012, said defendant installed the Havij program.

12. On or about January 5, 2012, said defendant executed the WebCruiser program on the themonitor.com web domain.

13. On or about January 6, 2012, said defendant executed the WebCruiser program on the themonitor.com web domain.

In violation of Title 18, United States Code, Sections 371 and 1030(a)(5)(A).

Count Two

From in or about June 2011, to in or about January 2012, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly and intentionally conspired and agreed with other person or persons known and unknown to the Grand Jury to commit an offense against the United States, specifically, to access a computer without authorization and to exceed authorized access, and thereby obtain information from a protected computer.

This offense was committed in furtherance of a criminal or tortious act in violation of the Constitution or laws of the United States or of any State.

OVERT ACTS

The Grand Jury incorporates by reference the overt acts listed in Count One.

In violation of Title 18, United States Code, Sections 371 and 1030(a)(2)(C).

Count Three

On or about January 6, 2012, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly and intentionally accessed and attempted to access a computer without authorization and to exceed authorized access, and thereby obtained and attempted to obtain information from a protected computer (relating to www.themonitor.com).

This offense was committed in furtherance of a criminal or tortious act in violation of the Constitution or laws of the United States or of any State.

In violation of Title 18, United States Code, Sections 1030(a)(2)(C), 1030(b), and 1030(c)(2)(B).

Count Four

On or about January 6, 2012, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly caused and attempted to cause the transmission of a program, information, code, and command, and as a result of such conduct, intentionally caused and attempted to cause damage without authorization to a protected computer (relating to www.themonitor.com).

In violation of Title 18, United States Code, Sections 1030(a)(5)(A), 1030(b), and 1030(c)(4)(G).

Count Five

On or about January 5, 2012, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly and intentionally accessed and attempted to access a computer without authorization and to exceed authorized access, and thereby obtained and attempted to obtain information from a protected computer (relating to www.themonitor.com).

This offense was committed in furtherance of a criminal or tortious act in violation of the Constitution or laws of the United States or of any State.

In violation of Title 18, United States Code, Sections 1030(a)(2)(C), 1030(b), and 1030(c)(2)(B).

Count Six

On or about January 5, 2012, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly caused and attempted to cause the transmission of a program, information, code, and command, and as a result of such conduct, intentionally caused and attempted to cause damage without authorization to a protected computer (relating to www.themonitor.com).

In violation of Title 18, United States Code, Sections 1030(a)(5)(A), 1030(b), and 1030(c)(4)(G).

Count Seven

From on or about January 4, 2012, to on or about January 5, 2012, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly caused and attempted to cause the transmission of a program, information, code, and command, and as a result of such conduct, intentionally caused and attempted to cause damage without authorization to a protected computer (relating to www.co.hidalgo.tx.us).

This offense caused, or, in the case of an attempted offense, would, if completed, have caused, loss to a person or person during a one-year period, and loss affecting one or more protected computers, aggregating at least \$5,000 in value.

In violation of Title 18, United States Code, Sections 1030(a)(5)(A), 1030(b), and 1030(c)(4)(B).

Count Eight

From on or about January 4, 2012, to on or about January 5, 2012, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly and intentionally accessed and attempted to access a computer without authorization and to exceed authorized access, and thereby obtained and attempted to obtain information from a protected computer (relating to www.co.hidalgo.tx.us).

This offense was committed in furtherance of a criminal or tortious act in violation of the Constitution or laws of the United States or of any State.

In violation of Title 18, United States Code, Sections 1030(a)(2)(C), 1030(b), and 1030(c)(2)(B).

Count Nine

From on or about January 4, 2012, to on or about January 5, 2012, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly and intentionally accessed and attempted to access a protected computer without authorization, and as a result of such conduct, recklessly caused damage (relating to www.co.hidalgo.tx.us).

This offense caused, or, in the case of an attempted offense, would, if completed, have caused, loss to a person or person during a one-year period, and loss affecting one or more protected computers, aggregating at least \$5,000 in value.

In violation of Title 18, United States Code, Sections 1030(a)(5)(B), 1030(b), and 1030(c)(4)(A).

Count Ten

On or about December 1, 2011, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly and intentionally accessed and attempted to access a computer without authorization and to exceed authorized access, and thereby obtained and attempted to obtain information from a protected computer (relating to lajoyaisd.com).

This offense was committed in furtherance of a criminal or tortious act in violation of the Constitution or laws of the United States or of any State.

In violation of Title 18, United States Code, Sections 1030(a)(2)(C), 1030(b), and 1030(c)(2)(B).

Count Eleven

On or about December 1, 2011, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly caused and attempted to cause the transmission of a program, information, code, and command, and as a result of such conduct, intentionally caused and attempted to cause damage without authorization to a protected computer (relating to lajoyaisd.com).

In violation of Title 18, United States Code, Sections 1030(a)(5)(A), 1030(b), and 1030(c)(4)(G).

Count Twelve

On or about November 15, 2011, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly and intentionally accessed and attempted to access a computer without authorization and to exceed authorized access, and thereby obtained and attempted to obtain information from a protected computer (relating to www.themonitor.com).

This offense was committed in furtherance of a criminal or tortious act in violation of the Constitution or laws of the United States or of any State.

In violation of Title 18, United States Code, Sections 1030(a)(2)(C), 1030(b), and 1030(c)(2)(B).

Count Thirteen

On or about November 15, 2011, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly caused and attempted to cause the transmission of a program, information, code, and command, and as a result of such conduct, intentionally caused and attempted to cause damage without authorization to a protected computer (relating to www.themonitor.com).

In violation of Title 18, United States Code, Sections 1030(a)(5)(A), 1030(b), and 1030(c)(4)(G).

Count Fourteen

On or about November 15, 2011, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly and intentionally accessed and attempted to access a computer without authorization and to exceed authorized access, and thereby obtained and attempted to obtain information from a protected computer (relating to lajoyaisd.com).

This offense was committed in furtherance of a criminal or tortious act in violation of the Constitution or laws of the United States or of any State.

In violation of Title 18, United States Code, Sections 1030(a)(2)(C), 1030(b), and 1030(c)(2)(B).

Count Fifteen

On or about November 15, 2011, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

FIDEL SALINAS, JR.

knowingly caused and attempted to cause the transmission of a program, information, code, and command, and as a result of such conduct, intentionally caused and attempted to cause damage without authorization to a protected computer (relating to lajoyaisd.com).

In violation of Title 18, United States Code, Sections 1030(a)(5)(A), 1030(b), and 1030(c)(4)(G).

Notice of Forfeiture

Upon conviction of the offense in violation of Title 18, United States Code, Section 1030, as set forth in Count One to Fifteen of this Indictment, the defendant,

FIDEL SALINAS, JR.

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Sections 1030(i), 1030(j), and 982(a)(2)(B): his interest in any personal property that was used or intended to be used to commit or to facilitate the commission of such violation; and any property, real or personal, constituting or derived from, any proceeds that such person obtained, directly or indirectly, as a result of such violation.

The property to be forfeited includes, but is not limited to:

- (1) a black Acer notebook computer, model number MS2319, serial number LXRNT0207613902EC52000; and
- (2) a black SABRENT labeled enclosure for a Western Digital hard drive, 500 GB, model number WD5000BEVT-22A0RT0, serial number WX31AB075146.

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty.

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c).

All pursuant to Title 18, United States Code, Sections 1030(i), 1030(j), and 982(a)(2)(B), and Title 28, United States Code, Section 2461(c).

A TRUE BILL

FOREPERSON

KENNETH MAGIDSON
UNITED STATES ATTORNEY



ASSISTANT UNITED STATES ATTORNEY